

## Environmental Protection Agency

§ 49.201

permit program for nonattainment areas.

(2) The Administrator may retain jurisdiction over the permits for which the administrative or judicial review process is not complete and will address this issue in the notice of program approval.

(3) After approval of a program for issuing nonattainment major NSR permits and the suspension of issuance of nonattainment major NSR permits by the Administrator, the Administrator will continue to administer nonattainment major NSR permits until permits are issued under the approved Tribal implementation plan program.

(4) Permits previously issued under this program will remain in effect and be enforceable as a practical matter until and unless the Tribe issues new permits to these sources based on the provisions of the EPA-approved Tribal implementation plan.

### Subpart D—Implementation Plans for Tribes—Region I

#### IMPLEMENTATION PLAN FOR THE MOHEGAN TRIBE OF INDIANS, CONNECTICUT

##### § 49.201 Identification of plan.

(a) *Purpose and scope.* This section contains the implementation plan for the Mohegan Tribe of Indians, Connecticut. This plan consists of an area wide NO<sub>x</sub> emission limitation regulation submitted by the Mohegan Tribe on May 4, 2005, applicable to the reservation of The Mohegan Tribe of Indians of Connecticut.

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section was approved for incorporation by reference by the Director of the

Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraph (c) of this section with EPA approval dates after August 13, 2009, will be incorporated by reference in the next update to the TIP compilation.

(2) EPA Region 1 certifies that the rules/regulations provided by EPA in the TIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated tribal rules/regulations which have been approved as part of the Tribal Implementation Plan as of August 13, 2009.

(3) Copies of the materials incorporated by reference may be inspected at the New England Regional Office of EPA at One Congress Street, Suite 1100, Boston, MA 02114-2023; the U.S. Environmental Protection Agency, EPA Docket Center (EPA/DC), Air and Radiation Docket and Information Center, MC 2822T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460 and the National Archives and Records Administration. If you wish to obtain material from the EPA Regional Office, please call 617-918-1653; for materials from the docket in EPA Headquarters Library, please call the Office of Air and Radiation docket at 202-566-1742. For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) *EPA-approved regulations.*

#### EPA-APPROVED MOHEGAN TRIBE OF INDIANS OF CONNECTICUT REGULATIONS

Tribal citation	Title/subject	Tribal effective date	EPA approval date	Explanations
Mohegan Tribal Resolution. 2009-28 .....	Approval of Amended Tribal Air Program Area Wide NO <sub>x</sub> Emission Limitation Regulation.	02/18/2009	09/29/09, 74 FR 49327 .....	Mohegan Tribal Resolution 2009-28 includes the "Area Wide NO <sub>x</sub> Emission Limitation Regulation."
Mohegan Tribal Gaming Authority Resolution MTGA 2009-07.	Confirmation and Approval of Amended Tribal Air Program "Area Wide NO <sub>x</sub> Emission Limitation Regulation."	2/18/2009	09/29/09, 74 FR 49327.	

## EPA-APPROVED MOHEGAN TRIBE OF INDIANS OF CONNECTICUT REGULATIONS—Continued

Tribal citation	Title/subject	Tribal effective date	EPA approval date	Explanations
Memorandum of Agreement.	Memorandum of Agreement dated December 26, 2006, between the Mohegan Tribe of Indians of Connecticut and the U.S. Environmental Protection Agency Region I.	12/26/06	11/14/07, 72 FR 63988.	

[72 FR 63989, Nov. 14, 2007, as amended at 74 FR 49329, Sept. 28, 2009]

## §§ 49.202–49.470 [Reserved]

## Subpart E—Implementation Plans for Tribes—Region II

## IMPLEMENTATION PLAN FOR THE SAINT REGIS MOHAWK TRIBE

## § 49.471 Identification of plan.

(a) *Purpose and scope.* This section contains the approved implementation plan for the St. Regis Mohawk Tribe dated February 2004. The plan consists of programs and procedures that cover public participation, plan revisions, ambient air quality standards, emissions inventory, permitting, synthetic minor facilities, source surveillance, open burning, enforcement, review of state permits, regional haze planning, and reporting.

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any

change in the material will be published in the FEDERAL REGISTER.

(2) EPA Region II certifies that the rules/regulations provided by EPA in the TIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated tribal rules/regulations which have been approved as part of the Tribal Implementation Plan as of December 10, 2007.

(3) Copies of the materials incorporated by reference may be inspected at the Region II Office of EPA at 290 Broadway, 25th Floor, New York, NY 10007–1866; the U.S. Environmental Protection Agency, EPA Docket Center (EPA/DC), Air and Radiation Docket and Information Center, MC 2822T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460 and the National Archives and Records Administration. For information on the availability of this material at NARA, call 202–741–6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) *EPA—approved regulations.*

## EPA-APPROVED ST. REGIS MOHAWK TRIBE REGULATIONS

Tribal citation	Title/subject	Tribal effective date	EPA approval date	Explanations
St. Regis Mohawk Tribe, Tribal Implementation Plan, version 3, Section 5.	Definitions .....	February 2004 .....	December 10, 2007, 72 FR 69618.	
St. Regis Mohawk Tribe, Tribal Implementation Plan, version 3, Section 9.	Air Quality Standards ...	February 2004 .....	December 10, 2007, 72 FR 69618.	Subsections 9.6 and 9.7 are not part of the Federally approved TIP.
St. Regis Mohawk Tribe, Tribal Implementation Plan, version 3, Section 11.	General Permit Requirements.	February 2004 .....	December 10, 2007, 72 FR 69618.	
St. Regis Mohawk Tribe, Tribal Implementation Plan, version 3, Section 12.	Permits for Minor Facilities.	February 2004 .....	December 10, 2007, 72 FR 69618.	